



**CITY COUNCIL
MEETING MINUTES**

OCTOBER 19, 2009 7:30 PM

I. CALL TO ORDER

A. Flag Salute

Mayor Peter B. Lewis called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance.

B. Roll Call

Mayor Lewis and the following Councilmembers were in attendance: Rich Wagner, Sue Singer, Gene Cerino, Nancy Backus, Bill Pelozza, Lynn Norman, and Virginia Haugen.

Staff members present included: Information Services Director Lorrie Rempher; Risk Manager Rob Roscoe; City Attorney Daniel B. Heid; Assistant Finance Director Maggie Coleman; Police Chief Jim Kelly; Parks, Arts and Recreation Director Daryl Faber; Emergency Management Manager Sarah Miller; Public Works Director Dennis Dowdy; Human Services Manager Michael Hursh; Senior Planner Chris Andersen; Environmental Planner Jennifer Shih; Assistant Police Chief Larry Miller; Police Commander Steve Stocker; Deputy Police Chief Bob Lee; Grant Writer Michael Wilson; and City Clerk Danielle Daskam.

C. Announcements and Appointments

1. Announcements

a) Citizen Commendation

Mayor Lewis and Chief of Police Jim Kelly presented a Citizen Commendation to Michael Binetti for his assistance to Auburn Police Officers with an arrest.

On October 1, 2009, an officer was attempting to place an individual under arrest for a crime. The individual became combative towards the officer and

assaulted the officer. As the officer took the individual to the ground, the struggle continued. Mr. Binetti, without regard to his personal safety and unaware of potential danger the individual presented, came to the aid of the officer by placing his body weight on the individual's legs which effectively ended the struggle allowing the officer to take the individual into custody. Mayor Lewis and Chief Kelly commended Mr. Binetti for his bravery and quick thinking.

b) Chief of Police Jim Kelly Recognized for Years of Service

Mayor Lewis presented Chief of Police Jim Kelly with a certificate of recognition for his faithful and successful thirty-three years of service to the Auburn Police Department. Chief Kelly's years of service to the community will be noted by eleven service bars that he will wear on his uniform.

c) Green River Flood Preparation and Response Update

Using a PowerPoint presentation, Emergency Preparedness Manager Sarah Miller provided the Council with an update on planning and preparation activities for potential Green River flooding.

Community outreach activities have included the following:

- More than 20 public meetings held
- More than 7,000 attendees at meetings
- Door-to-door notifications occurred in January
- Additional door-to-door in targeted neighborhoods occurred in September
- King County held four meetings in Auburn with over 1,500 attendees
- Staff created several versions of the flood map, latest with sewer and storm impacts
- One more large meeting and many small meetings are scheduled
- Specialized outreach for:

- Faith-based/non-profit/community service organizations
 - Ham radio operators/CERT trained
- Website information continuously updated
- Frequently asked questions (FAQ) blog online
- Twitter and Facebook outreach
- E-mail alerts (nearly 1,000 subscribers)
- Volunteers and staff answering public information phone approximately eleven hours per day
- Community sandbag sites open and operational
- Volunteers assisting citizens
- Corporate volunteers filled bags this past weekend with machinery

Business outreach activities have included:

- Door-to-door notifications in January
- Specialized meeting in February
- Individual phone calls to each business in the impact area
- Multi-city meeting in Kent in September in conjunction with Chamber of Commerce
- Additional door-to-door campaign to distribute hazardous materials information in coming weeks

Internal activities include:

- Planning team created in January, which includes representatives from Boeing, Auburn Regional Medical Center, Safeway (regional), Auburn School District and Green River Community College
- Initial response action plans are in place and are updated continuously
- Staff/volunteer training: Planning, Logistics, Public Information Officer and All-hazards
- Staff have attended more than 100 regional planning meetings
- Emergency vendor contracts
- Archives moved to safety

- Raising equipment to safe heights
- Debris management plan nearly complete
- Parks working to secure loose items in City parks and move equipment to high ground
- Working regionally on large-scale shelters
- Coordinating evacuation routes with adjoining cities
- Several exercises, including communications and tabletop, with Emergency Communications Center setup/activation
- Completion of CEMP underway
- Final NWS StormReady Certification activities underway

Using a PowerPoint presentation, Public Works Director Dennis Dowdy reviewed the flood protection work in progress. He reviewed the City's proposed Flood Defense Plan for Primary Containment consisting of the following scopes of work in order of priority and urgency:

1. Raising the Green River levee from 8th Street to Reddington levee (37th Street NE)
2. Installing a setback levee from Reddington levee to South 277th Street
3. Close and raise South 277th Street
4. Raise I Street NW and Frontage Road, ease of SR 167, to protect against backwaters from Mill Creek

Director Dowdy stated that the flood modeling results for the 13,900 cfs and 17,600 cfs levels indicated that the City can expect flood waters from the greater event to begin to overtop the left bank of the Green River at Elevation 53 at the Central Avenue Bridge, which would fill the floodplain north and south of South 277th Street.

Staff members estimate that the City's primary containment structure in the vicinity of the drive-in theater property will need to be twelve feet high to contain the backwater of the floodplain and provide

three feet of freeboard from the 13,900 cfs flood event.

Director Dowdy briefly reviewed the various types of containment measures. Primary containment measures include:

- Geogrid packs
- Hesco containers
- Supersacks
- Jersey barriers
- Sandbags
- Other containment devices

Director Dowdy reviewed the cost estimates and funding sources. The initial working estimate is \$1.5 million (without the cost of pumping contracts).

King County has appropriated \$8 million from the Flood Control District Fund, to address the Green River flood emergency. \$4.9 million will be prorated to City and County levee work on a lineal foot basis to assist each jurisdiction in cost sharing the work. Auburn's portion of the funds amounts to \$1,019,200.

City Storm Drainage Funds will be used for any cost overruns not covered by the funds from the Flood Control District.

Director Dowdy advised that there are generally four areas that have no levee protection:

- East bank, north of 8th Street (Porter Bridge) and both banks south of bridge
- Lower Cobble Creek, south of the golf course
- Mullen Slough community on South 287th Street
- Several homes northeast of the I Street setback levee
- Trail Run development on South 277th Street (several lots may be at risk)

The schedule of work is as follows:

- Phase I: Levee work from 8th Street bridge to end of Reddington Levee, to be under contract by October 23rd with no work hour restrictions, seven day work week and required to be completed by November 7th
- Phase II: Setback levee work from end of Reddington Levee to South 277th to be under contract by October 30th with no work hour restrictions, seven day work week and required to be completed by November 14th
- Phase III: Preparations to close South 277th as the floodplain nears filling and before the roadway is overtopped to be under contract by November 7th with three shift 24-hour, seven day work schedule with indefinite but on call completion date depending on the first flood event. The contract will place jersey barriers early on with city staff placing the black poly when required.
- Phase IV: Mill Creek work to be under contract by November 7th with three shift 24-hour, seven day work schedule with indefinite but on call completion date depending on the first flood event.

2. Appointments

There was no appointment for Council consideration.

D. Agenda Modifications

A revised draft application for the HUD Section 108 Loan Program under public hearings was transmitted prior to the meeting.

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

1. Moratorium – 100 Year Floodplain

O3.10.8

Resolution No. 4416, adopted November 17, 2008, established an initial six-month moratorium on the filing, receipt, and approval of applications for development within areas of the city located within, in whole or in part,

designated 100 Year Floodplains as determined by the Federal Emergency Management Agency. Resolution No. 4476 extended the moratorium six months. An additional six month extension of the moratorium is proposed.

Mayor Lewis reported that FEMA declared that there should be a moratorium in the 100 year floodplain and that cities would be fined and held accountable for issuing any permits in the floodplain area until FEMA develops a model ordinance to address the situation. FEMA has yet to finalize the model ordinance. No additional staff report was presented.

Mayor Lewis opened the hearing at 8:18 p.m.

Mara Heiman, 6430 South 287th Street, Auburn
Ms. Heiman spoke against the extension of the moratorium. She presented the Council with copies of two photos identified as the Green River Valley, Longacres Race Track Stables, November 23, 1959, and Green River Valley, East Valley Road looking toward Renton, November 3, 1959. Ms. Heiman alleged that the floodplain is a man-made floodplain. She asked that she be compensated for her property.

Howard Cottier, 181 Old Beaver Valley Road, Port Ludlow, WA

Mr. Cottier stated that he owns property adjacent to Mara Heiman's (previous speaker) property. Mr. Cottier stated that his property is at the most southern point of the floodplain. He objected to the extension of the moratorium.

Mara Heiman, 6430 South 287th Street, Auburn
Ms. Heiman objected to the moratorium. She alleged that a rolling moratorium is inappropriate and requested relief. She stated that the real floodplain is to the north of her property.

Mayor Lewis closed the public hearing at 8:32 p.m.

2. Proposed 2010-2014 Consolidated Plan and 2010 Community Development Block Grant Annual Action Plan

O3.4.1.7

City Council conduct a public hearing on amendments to the City of Auburn Consolidated Plan for Housing and

Community Development and 2010 Community Development Block Grant Action Plan.

Human Services Manager Hursh presented the staff report for the Consolidated Plan for 2010-2014 and the 2010 Annual Action Plan. Mr. Hursh explained that the City's Consolidated Plan includes both the City of Auburn's General Fund appropriations for human services and the distribution of Community Development Block Grant (CDBG) funds. Mr. Hursh clarified that CDBG funds are primarily used for administration of the program and "brick and mortar" projects such as the housing repair program.

The Consolidated Plan is a five year plan which provides the direction of community development goals for the City of Auburn. The Annual Action Plan is the description of particular projects which are planned for the next fiscal year.

Mayor Lewis opened the hearing at 8:38 p.m. There being no one in the audience who wished to speak, the hearing was closed.

3. Housing and Urban Development Section 108 Loan Guarantee Program

O3.4.1.7

City Council conduct a public hearing regarding the proposed Housing and Urban Development (HUD) Section 108 Loan Guarantee Program Application for use in construction of City of Auburn's Community Center

Grant Writer Michael Wilson presented the staff report on the first hearing for the Housing and Urban Development (HUD) Section 108 Loan Guarantee Program grant application. Mr. Wilson advised that the City can apply for up to five times its annual allocation of approximately \$400,000 in Community Development Block Grant (CDBG) funds. The City is requesting \$2,033,720 in Section 108 Loan Guarantee HUD funds to provide financing for the development of a community center facility at Les Gove Park. The City will repay the loan with proceeds from the City's annual allocation of CDBG funds over twenty years. The City's annual payment is estimated at \$150,000. Mr. Wilson noted that the City is receiving CDBG funds based on an old census calculation; he projected that with a new

census calculation coming in 2010, the \$150,000 of the annual allocation used for repayment of the Section 108 loan will be recouped from the increased population growth and HUD's recalculation of the City's allocation.

Mr. Wilson estimated that the loan review by HUD will take approximately four months.

Deputy Mayor Singer inquired whether the Section 108 Loan discussed this evening will affect the proposed one stop service center funding. Human Services Manager Hursh responded that if and when an application is received for the one stop service center, it will be evaluated at that time and determined whether the grant will be refinanced or other funding allocated.

In response to questions from Councilmember Pelosa regarding the repayment schedule, Mr. Wilson explained that the City can choose either an interim interest rate or fixed interest rate for the loan. Mr. Wilson proposed that the City use the interim rate for the first year of the loan and lock in at a fixed rate later. The fixed rate is estimated at four percent.

In response to a question from Councilmember Wagner, Human Services Manager Hursh stated that the Human Services Committee supports the Section 108 loan application for the community center project.

Mayor Lewis opened the hearing at 8:50 p.m. There being no one in the audience who wished to speak, the hearing was closed.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

Kathy Clark, 39 Pike Street SE, Auburn

Ms. Clark conveyed her thanks to the City for information on flooding preparations, code enforcement and resolution of the blighted house at 4 Pike Street SE.

C. Correspondence

There was no correspondence for Council review.

III. COUNCIL COMMITTEE REPORTS

A3.7.6

A. Municipal Services

Chair Cerino reported that the Municipal Services Committee did not meet on October 12th. The next regular meeting of the Municipal Services Committee is scheduled for October 26, 2009 at 4:00 p.m.

B. Planning & Community Development

Chair Norman reported the Planning and Community Development Committee met October 12, 2009. The Committee discussed the floodplain moratorium, the Consolidated Plan and Annual Action Plan, and Pierce County housing targets update. The next meeting of the Planning and Community Development Committee is scheduled for October 26, 2009 at 5:00 p.m.

C. Public Works

Chair Wagner reported the Public Works Committee met this afternoon at 3:00. The Committee reviewed Ordinance No. 6265 regarding facility extensions. The Committee also discussed Resolution No. 4527 approving an easement for the Auburn Regional Medical Center and Resolution No. 4535 regarding the floodplain moratorium. The Committee also received an update on the M Street Grade Separation project and discussed the Comprehensive Transportation Plan, the Six Year Transportation Improvement Plan, potential flooding, and the capital projects status report. The next regular meeting of the Public Works Committee is scheduled for November 2, 2009 at 3:00 p.m.

D. Finance

Chair Backus reported the Finance Committee met this evening at 6:30. The Committee reviewed and approved claims and payroll vouchers and discussed Resolution No. 4535 regarding the floodplain moratorium, an investment summary report for the period ending September 30, 2009, and a briefing on potential flooding. The next regular meeting of the Finance Committee is scheduled for November 2, 2009 at 6:30 p.m.

E. Community Center

Chair Wagner reported the Community Center Committee has not met and no future meeting is scheduled at this time.

F. Downtown Redevelopment

Chair Norman reported the Downtown Redevelopment Committee met October 13, 2009. The Committee discussed an amendment to the Downtown Urban Center design standards regarding monument signs/ground signs in the downtown area, the Auburn Junction project, and the City Hall plaza. The next regular meeting of the Downtown Redevelopment Committee is scheduled for October 27, 2009 at 4:00 p.m.

IV. REPORTS

At this time the Mayor and City Council may report on significant items associated with their appointed positions on state, regional and local organizations.

A. From the Council

Deputy Mayor Singer reported on her and other Councilmembers' attendance at the Valley Regional Fire Authority's groundbreaking for the remodel of their Fire Station 32 on R Street SE, the Reaching Out Fair for middle school children, and continued work on Project ASCENT.

Councilmember Wagner reported on his attendance at the Regional Access Mobility Project meeting, which is a Pierce County transportation planning forum. The meeting consisted of discussion of the tolling study which is being conducted by the State and the alternative transportation funding methods study the State is undertaking.

Councilmember Pelozo reported on his attendance at the King County Solid Waste Advisory Committee meeting where the main topic was the life of the Cedar Hills Landfill. Councilmember Pelozo also reported that he toured the Mullen Slough and tributary 045 area. He reported that King County discovered a man-made dam was preventing water from naturally flowing to the Mullen Slough area, and the dam was removed. Councilmember Pelozo also reported on his attendance at the Suburban Cities Association Public Issues Committee meeting where he supported a reclaimed water proposal.

B. From the Mayor

Mayor Lewis reported that Standard & Poor issued their ratings on October 5th where Auburn was rated "AA"; and of the cities comprising the SCORE, there was no other city rated higher than

Auburn. Mayor Lewis quoted from Standard & Poor's as follows: "We understand that annexations have driven much of the City's population and tax base growth in recent years, but that sales tax revenues have slid in recent months. Historically, the City's financial position has been what we consider very strong, exceeding twenty-five percent of expenditures during the past four years. For 2009, the City has cut expenditures in response to the recession, but management expects to finish the year with available General Fund balance that is still very strong at approximately eighteen percent of expenditures. In addition, the City maintains revenue flexibility in the form of bank capacity and maintains about \$5.5 million (about ten percent of expenditures) in a revenue stabilization fund outside the General Fund." Mayor Lewis congratulated the Council and the City's Finance Department for the excellent financial condition of the City.

V. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. Minutes

- 1. Minutes of the October 5, 2009 regular City Council meeting.**

B. Vouchers

F4.9.2, F4.9.5

- 1. Claims**

Claims check numbers 389305 through 389696 in the amount of \$4,180,832.50 and one wire transfer in the amount of \$4,904.00 and dated October 19, 2009.

- 2. Payroll**

Payroll check numbers 527444 to 527549 in the amount of \$793,262.78 and electronic deposit transmissions in the amount of \$1,152,031.63 for a grand total of \$1,945,294.41 for the pay period covering October 1, 2009 to October 14, 2009.

Deputy Mayor Singer moved and Councilmember Wagner seconded to approve the Consent Agenda.

MOTION CARRIED UNANIMOUSLY. 7-0.

VI. UNFINISHED BUSINESS

There was no unfinished business.

VII. NEW BUSINESS

There was no new business.

VIII. ORDINANCES AND RESOLUTIONS

A. Ordinances

1. Ordinance No. 6265

A3.5.2, A3.13.2

An Ordinance of the City Council of the City of Auburn, Washington, amending Chapter 13.40 and Section 12.04.050 of the Auburn City Code relating to facility extensions

Councilmember Wagner moved and Councilmember Cerino seconded to introduce and adopt Ordinance No. 6265.

MOTION CARRIED UNANIMOUSLY. 7-0.

B. Resolutions

1. Resolution No. 4527

O3.10.9

A Resolution of the City Council of the City of Auburn, Washington, authorizing the granting of an easement for construction and permanent occupation of the City right of way in connection with the Auburn Regional Medical Center Parking Garage Project

Councilmember Wagner moved and Councilmember Cerino seconded to adopt Resolution No. 4527.

MOTION CARRIED UNANIMOUSLY. 7-0.

IX. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 9:18 p.m.

APPROVED THE _____ DAY OF NOVEMBER, 2009.

Peter B. Lewis, Mayor

Danielle Daskam, City Clerk

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Internet: <http://www.auburnwa.gov>

*Denotes attachments included in Council agenda packet.